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CIPS L4M3

CIPS Commercial Contracting

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### NEW QUESTION 32

In which of the following section of a specification, requirements for training to use the equipment will be set out?

- A. Implementation
- B. Issue reference
- C. Performance
- D. Consultation requirements

Answer: A

Explanation:

Implementation is a substantive requirement which covers the following areas:

- Will there be a need to train the staff to use the equipment?
- Are there integration requirements with other systems or processes?
- How will this work?
- What are the timescales?
- Are detailed method statements required?

Consultation requirements regards to explicitness of compliance with any national or local legal requirements Reference:

LO 2, AC 2.1

### NEW QUESTION 33

Which of the following is regulated by standard ISO 14001?

- A. Information security management
- B. Environmental management
- C. Quality management systems
- D. Energy management

Answer: B

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## CIPS Commercial Contracting Sample Questions (Q75-Q80):

### NEW QUESTION # 75

XYZ Ltd and Engineer Corp signed a long-term supply contract in which both parties had agreed on performance targets. Recently, due to increased customer demands, XYZ Ltd realises that they should make changes to the contract with Engineer Corp with regards to performance management. These changes are approved and signed by both the buyer and seller. The changes to the contract are known as...?

- A. An amendment to the prime contract
- B. A stand-alone subcontract to the prime contract
- C. A separate counter-offer to the supplier
- D. An appendix to the prime contract

**Answer: A**

Explanation:

The changes are made to the prime contract. They are also signed and approved by both parties. These changes are known as amendment (variation) to the contract. A contract amendment allows the parties to make a mutually agreed-upon change to an existing contract. An amendment can add to an existing contract, delete from it, or change parts of it. The original contract remains in place, only with some terms altered by way of the amendment.

Reference:

- Modify an Existing Contract with a Contract Amendment
  - CIPS study guide page 26-28
- LO 1, AC 1.1

### NEW QUESTION # 76

Parkers Medical Supplies is a distributor of first aid supplies to supermarkets nationwide. A new supplier has approached Parkers with an offer to supply a new and innovative product. Parkers have never dealt with this company before, so are looking to ensure that the new supplier has the necessary insurance cover as the new product could potentially cause personal injury. Which type of insurance should Parkers insist the new supplier takes out?

- A. Product liability
- B. Professional indemnity
- C. Employers' liability
- D. Public liability

**Answer: A**

Explanation:

Comprehensive and Detailed Explanation From Exact Extract:

In the context of commercial contracting, it's crucial for buyers to ensure that suppliers have appropriate insurance coverage to mitigate potential risks associated with the products or services provided. Product liability insurance specifically covers the supplier against claims of personal injury or property damage caused by products they have supplied. This type of insurance is essential when introducing new or innovative products to the market, as there may be unforeseen risks associated with their use.

According to the CIPS L4M3 Commercial Contracting Study Guide, product liability insurance is designed to protect against claims arising from injuries or damages caused by defective products. This insurance is particularly important when the buyer is introducing a new product from a supplier with whom they have no prior experience, as it provides a safety net against potential legal and financial repercussions.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 3, Section 3.2.1 - Key terms in contracts for indemnities and liabilities, sub-contracting, insurances, guarantees, and liquidated damages.

### NEW QUESTION # 77

Which of the following is the model form of contract for construction which is recommended by World Bank?

- A. ITC
- B. CIPS
- C. FIDIC

- D. JCT

**Answer: C**

Explanation:

FIDIC is the International Federation of Consulting Engineers (or Federation Internationale des Ingénieurs Conseils in French). FIDIC has produced many publications, including the model form contracts, best practice guidances, research on sustainability, integrity and risk management. FIDIC model form contracts have been developed by this organisation since 1999, now they consist of several different books which are marked by colours. Thus, FIDIC model contracts also have the nickname "Rainbow suite of contracts". Basically, the "Rainbow Suite" include the following books:

- \* Yellow book: Plant and Design-Build Contract (2 editions: 1999 and 2017)
- \* Silver book: EPC/Turnkey Contract (2 editions: 1999 and 2017)
- \* Red book: Construction Contracts (2 editions: 1999 and 2017)
- \* Emerald book: Conditions of Contract for Underground Works (1st Ed 2019)
- \* Blue-Green book: Dredgers Contract (2 editions: 2006 and 2016)
- \* Gold book: Design, Build and Operate Contract Guide
- \* Pink book: Construction Contract Multilateral Development Bank Harmonised Ed (2 editions: 2005 and 2010) This type of model contract is commonly used around the world because its author, International Federation of Consulting Engineers, collaborates closely with development banks such as World Bank, Africa Development Bank, Asia Development Bank, etc. Every construction project that is financed by these institutions must adopt the FIDIC contracts.

The Joint Contracts Tribunal, also known as the JCT, produces standard forms of contract for construction, guidance notes and other standard documentation for use in the construction industry in the United Kingdom. From its establishment in 1931, JCT has expanded the number of contributing organisations.

ITC (International Trade Centre) produces contracts specifically designed for small companies doing international business, covering the sale of goods, distribution, services and joint ventures. Many small companies are now engaged in international trade, but don't have access to the necessary contract forms to protect themselves. ITC and leading legal experts developed eight generic contract templates that incorporate internationally recognized standards and laws for most small business situations.

CIPS has several model forms of contract designed specifically for IT buying and servicing.

Reference:

LO 3, AC 3.1

**NEW QUESTION # 78**

Esther Francis has recently changed job from a supply role at Shine Cleaning Services (SCS) to a purchasing role at Southern Commercial Property (SCP). Esther requires industry technical input to develop a cleaning services requirements specification for her new employer. Esther Francis wants to include her former employer SCS in a market engagement exercise to inform the specification. Which of the following would be the most appropriate way to deal with the conflict of interest?

- A. Ask a colleague to conduct the market engagement with SCS
- B. Conduct the market engagement with SCS off the record
- C. Declare the potential conflict of interest to a senior manager of SCS
- D. **Conduct market engagement with several capable suppliers, including SCS**

**Answer: D**

Explanation:

The best way to manage conflicts of interest is through transparency and fairness. Including multiple suppliers in the market engagement process ensures no single supplier, including the one with a perceived connection, gains an advantage. This protects the integrity of the procurement process.

Reference:CIPS L4M3 Commercial Contracting Study Guide, Chapter 2, Section 2.1.1 - Ethical and fair practice in early market engagement.

**NEW QUESTION # 79**

While it is recognised that longer-term contracts have the potential to drive significant benefits for the organisation, a number of situations are more suited to making one-off purchases. Which of the below situations is likely to be more suited to a one-off purchase?

- A. **The ordering of equipment for a special project**
- B. The purchase of internal and external audit services
- C. A requirement for the maintenance of buildings

- D. The purchase of compatible IT infrastructure equipment

**Answer: A**

Explanation:

One-off purchases are ideal for unique, non-recurring needs such as equipment for a special project. These purchases are typically not repeated, do not require long-term supplier relationships, and are handled separately from strategic or ongoing procurement activities.

Reference:CIPS L4M3 Commercial Contracting Study Guide, Chapter 4, Section 4.1.2 - Types of procurement arrangements.

**NEW QUESTION # 80**

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